

1 Neal A. Potischman (SBN 254862)  
Serge A. Voronov (SBN 298655)  
2 DAVIS POLK & WARDWELL LLP  
1600 El Camino Real  
3 Menlo Park, California 94025  
Telephone: (650) 752-2000  
4 Facsimile: (650) 752-2111  
Email: neal.potischman@davispolk.com  
5 serge.voronov@davispolk.com

6 *Attorneys for Defendant Tezos Foundation*

7  
8 UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

11 ANDREW OKUSKO, individually and on )  
12 behalf of all others similarly situated, )

13 Plaintiff, )

14 v. )

15 DYNAMIC LEDGER SOLUTIONS, INC., )  
16 THE TEZOS FOUNDATION, KATHLEEN )  
BREITMAN, ARTHUR BREITMAN, and )  
17 TIMOTHY DRAPER, )

18 Defendants. )  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Case No. 3:17-cv-06829-RS

**JOINT STIPULATION EXTENDING  
TIME FOR TEZOS FOUNDATION TO  
RESPOND TO COMPLAINT**

1 Defendant Tezos Foundation (the “Foundation”) and plaintiff Andrew Okusko  
2 (“Okusko”) (collectively, the “Appearing Parties”) stipulate pursuant to Civil L. R. 6-1(a) to  
3 extend the time for the Foundation to respond to the putative class action complaint (the  
4 “Complaint”), filed in the above-captioned action (the “Instant Action”), as follows:

5 WHEREAS, on November 28, 2017, Okusko filed the Complaint alleging violations of  
6 the Securities Act;

7 WHEREAS, the claims under the Securities Act of 1933 that Okusko seeks to bring on  
8 behalf of a putative class may be subject to the lead plaintiff provisions of the Private Securities  
9 Litigation Reform Act, *see* 15 U.S.C. § 77z-1;

10 WHEREAS, in order to avoid motion practice with respect to the issue of service, the  
11 Foundation agreed to waive service of the Complaint on December 22, 2017 (ECF No. 21);

12 WHEREAS, in accordance with the terms of that waiver, the Foundation’s time to move  
13 to dismiss or otherwise respond to the Complaint is currently February 19, 2018;

14 WHEREAS, on December 14, 2017, Okusko and defendants Dynamic Ledger Solutions,  
15 Inc. (“DLS”) and Kathleen Breitman and Arthur Breitman (the “Breitman Defendants”) agreed  
16 and stipulated that DLS and the Breitman Defendants shall not be required to move to dismiss or  
17 otherwise respond to the Complaint filed in the Instant Action until 30 days after the Court  
18 appoints a lead plaintiff and lead counsel, and lead plaintiff files and serves a consolidated  
19 complaint or notice stating that lead plaintiff designates a previously filed complaint as  
20 operative;

21 WHEREAS, on December 29, 2017, Okusko and defendant Timothy Draper (“Draper”)  
22 agreed and stipulated that Draper should respond to the Complaint on the same schedule as DLS  
23 and the Breitman Defendants;

24 WHEREAS, the Appearing Parties have met and conferred and agree that the Foundation  
25 should respond to the Complaint on the same schedule as DLS, the Breitman Defendants, and  
26 Draper;

27 WHEREAS, the Foundation does not consent to, and in fact contests, the Court’s exercise  
28 of personal jurisdiction over it as well as the propriety of venue of this action;

WHEREAS, this extension will not alter the date of any event or any deadline already fixed by order of this Court; and

WHEREAS, the Foundation has not obtained any previous time modification in this case.

NOW, THEREFORE, the Appearing Parties hereby stipulate as follows:

The Foundation may but shall not be required to move to dismiss or otherwise respond to the Complaint filed until 30 days after the Court appoints a lead plaintiff and lead counsel, and lead plaintiff files and serves a consolidated complaint or a notice stating that lead plaintiff designates a previously filed complaint as operative. Pursuant to Civil L. R. 6-1(a), this paragraph shall be effective upon the filing of this Stipulation with the Court.

**IT IS SO STIPULATED.**

Dated: January 24, 2018

LEVI & KORSINSKY, LLP

DAVIS POLK & WARDWELL LLP

/s/ Rosemary M. Rivas

/s/ Neal A. Potischman

Rosemary M. Rivas

Neal A. Potischman

Serge A. Voronov

Attorneys for Plaintiff

ANDREW OKUSKO

Attorneys for Defendant

TEZOS FOUNDATION

**FILER'S ATTESTATION**

Pursuant to Civil L. R. 5-1(i)(3), regarding signatures, Neal A. Potischman hereby attests that concurrence in the filing of the document has been obtained from all of the signatories above.

Dated: January 24, 2018

/s/ Neal A. Potischman

Neal A. Potischman